FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.2695 OF 2006
IN
WRIT PETITION NO.7423 OF 2002

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr A.R.Arjunwadkar,for the applicant.

CORAM: D.B.BHOSALE,J.
DATED: 09.11.2006

P.C.:

Heard Mr Arjunwadkar, learned counsel for the applicant.

In this application, the applicant has made the following prayer:-

"(a) This Hon'ble High Court may be pleased to appoint Court Commissioner to comply the notice dated 17/08/2006 issued by Ichalkaranji Municipal council u/s 195 of Maharashtra Municipality Act,1965."

Mr Arjunwadkar, learned counsel for the applicant, submits that the applicant is not made party in the main writ petition no.7423 of 2002 though the writ petition is arising from the concurrent findings recorded by the courts below in the suit

filed by the applicant. I perused the title of the judgment of the trial court as well as of the appeal court as also the title of the present writ petition. Applicant Ravikant Bhagawat was a party to the suit as also the appeal, however, he is not joined as a party in the writ petition. In the circumstances, I do not deem it necessary to allow this application since it is always open for the applicant to take such steps in the matter as may be available in law. When I so expressed, Mr Arjunwadkar, learned counsel for the applicant,prayed for withdrawal of this application with liberty to the applicant to take out appropriate proceedings. The civil application is allowed to be withdrawn with liberty as prayed for. If any such proceedings, as prayed for, are taken out by the applicant, same may be dealt with in accordance with law. The civil application is disposed of.

(D.B.BHOSALE,J.)